

Approved For Release 2007/08/31 : CIA-RDP83B00551R000200010002-5

Page Denied

AMENDMENT NO. ____

Calendar No. ____

Purpose: To express the sense of the Congress with regard to the United States-China Joint Communiqué of August 17, 1982.

IN THE SENATE OF THE UNITED STATES--97th Cong., 2d Sess.

H.J. Res. 520

To provide for a temporary increase in the public debt limit.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

Amendment intended to be proposed by Mr. Humphrey

Viz:

1 At the end of the joint resolution, add the following:

2 Sec. 2. (a) The Congress finds that with the enactment in
3 1979 of the Taiwan Relations Act, the United States undertook
4 certain solemn obligations to the people on Taiwan regarding
5 their security.

6 (b) It is the sense of the Congress that--

7 (1) to the extent the policy contained in the United
8 States-China Joint Communiqué of August 17, 1982, is
9 inconsistent with the Taiwan Relations Act, the Taiwan
10 Relations Act prevails; and

11 (2) the President should not take any action which is
12 inconsistent with, or decline to take any action required
13 by, the intent or the provisions of the Taiwan Relations
14 Act, especially the provisions of such Act relating to
15 the furnishing of defense articles and defense services
16 and other provisions relating to the security of Taiwan.

Current
Policy No. 413

U.S.-China Joint Communique

August 1982



United States Department of State
Bureau of Public Affairs
Washington, D.C.

compromised. Those principles, embodied in the Taiwan Relations Act, commit the United States to sell to Taiwan arms necessary to maintain a sufficient self-defense capability.

Aware of our consistent and firm opposition to the use of force against Taiwan, the Chinese during these discussions agreed to state in very strong terms their policy of pursuing a peaceful resolution of the Taiwan issue and described this policy as "fundamental." The Chinese insisted, however, that we agree to the ultimate termination of arms sales. We refused because the level of our arms sales must be determined by the needs of Taiwan and we could not agree to a termination date, as the Chinese demanded, which might impair our ability to meet those needs.

At the same time, we recognized that China's peaceful policy bore directly on the defense needs of Taiwan. So long as that policy continued, the threat to Taiwan would be greatly diminished. As I have just noted, assurances of such a continuity were provided when the Chinese began to describe their peaceful policy on the resolution of the Taiwan question as, as I have just said, "fundamental," which contains the connotation of unchanging and long term. We were thus able to consider a policy under which we would limit our arms sales to the levels reached in recent years and would anticipate a gradual reduction of the level of arms sales. We were not willing, however, to adopt such a course unconditionally.

While the Chinese were willing to state their peaceful policy in strong terms, they at first resisted any relationship between that policy and our arms sales to Taiwan. The Chinese resisted this relationship because of their view that the sale of arms to Taiwan constitutes an interference in China's internal affairs. We rejected any language to this effect in the communique.

We also stressed that as a matter of fact and law, any adjustments in our arms sales to Taiwan had to be premised on a continuation of China's peaceful policy. We therefore maintained, and the Chinese ultimately agreed, that the statement of our policy in paragraph 6 be prefaced by a phrase that related it to the continuation of China's peaceful approach. This is the genesis and purpose of the phrase "Having in mind the foregoing statements of both sides" which precedes our statements in that paragraph. Thus, our policy is predicated on China's commitment in paragraph 4 to a peaceful approach and our acknowledgment of that approach in paragraph 5.

PRESIDENTIAL STATEMENT ON ISSUANCE OF COMMUNIQUE, AUGUST 17, 1982

The U.S.-China Joint Communique issued today embodies a mutually satisfactory means of dealing with the historical question of U.S. arms sales to Taiwan. This document preserves principles on both sides and will promote the further development of friendly relations between the governments and peoples of the United States and China. It will also contribute to the further reduction of tensions and to lasting peace in the Asia/Pacific region.

Building a strong and lasting relationship with China has been an important foreign policy goal of four consecutive American administrations. Such a relationship is vital to our long-term national security interests and contributes to stability in East Asia. It is in the national interest of the United States that this important strategic relationship be advanced. This communique will make that possible, consistent with our obligations to the people of Taiwan.

In working toward this successful outcome we have paid particular attention to the needs and interests of the people of Taiwan. My longstanding personal friendship and deep concern for their well-being is steadfast and unchanged. I am committed to maintaining the full range of contacts between the people of the United States and the people of Taiwan—cultural, commercial, and people-to-people contacts—which are compatible with our unofficial relationship. Such contacts will continue to grow and prosper and will be conducted with the dignity and honor befitting old friends.

Let me summarize the essence of our understanding on this point: China has announced a fundamental policy of pursuing peaceful means to resolve the longstanding dispute between Taiwan and the mainland. Having in mind this policy and the consequent reduction in the military threat to Taiwan, we have stated our intention to reduce arms sales to Taiwan gradually, and said that in quantity and quality we would not go beyond levels established since normalization. This follows from a literal reading of the communique. While we have no reason to believe that China's policy will change, an inescapable corollary to these mutually interdependent policies is that should that happen, we will reassess ours. Our guiding principle is now and will continue to be that embodied in the Taiwan Relations Act: the maintenance of a self-defense capability sufficient to meet the military needs of Taiwan, but with the understanding that China's maintenance of a peaceful approach to the Taiwan question will permit gradual reductions in arms sales.

Questions have been raised concerning whether the wording of the communique adequately conveys the mean-

Regarding future U.S. arms sales to Taiwan, our policy, set forth clearly in the communique, is fully consistent with the Taiwan Relations Act. Arms sales will continue in accordance with the act and with the full expectation that the approach of the Chinese Government to the resolution of the Taiwan issue will continue to be peaceful. We attach great significance to the Chinese statement in the communique regarding China's "fundamental" policy; and it is clear from our statements that our future actions will be conducted with this peaceful policy fully in mind. The position of the U.S. Government has always been clear and consistent in this regard. The Taiwan question is a matter for the Chinese people, on both sides of the Taiwan Strait, to resolve. We will not interfere in this matter or prejudice the free choice of, or put pressure on, the people of Taiwan in this matter. At the same time, we have an abiding interest and concern that any resolution be peaceful. I shall never waver from this fundamental position.

I am proud, as an American, at the great progress that has been made by the people on Taiwan, over the past three decades, and of the American contribution to that process. I have full faith in the continuation of that process. My Administration, acting through appropriate channels, will continue strongly to foster that development and to contribute to a strong and healthy investment climate, thereby enhancing the well-being of the people of Taiwan.

ing which we ascribe to it. I believe that it does or I would have recommended against its approval. The present wording evolved from 10 months of intense negotiations in which fundamental principles were at stake on both sides. The language necessarily reflects the difficult compromises which were reached.

We should keep in mind that what we have here is not a treaty or agreement but a statement of future U.S. policy. We intend to implement this policy in accordance with our understanding of it. I hope I have made that point abundantly clear in my remarks today. I can further assure you that, having participated closely in the negotiations, I am confident that the Chinese are fully cognizant of that understanding.

Returning now to the document itself, let me recapitulate and emphasize a few key features.

First, the document must be read as a whole, since the policies it sets forth are interrelated.

Second, as I have previously noted, the communique contains a strong Chinese statement that its fundamental